



OFFICE OF THE COUNTY COUNSEL

COUNTY OF SANTA CRUZ

GOVERNMENT CENTER (408)454-2040 FAX(408)454-2115

701 OCEAN STREET, ROOM 505, SANTA CRUZ, CALIFORNIA 95060-4068

DWIGHT L. HERR COUNTY COUNSEL

DEBORAH STEEN SAMUEL TORRES, JR. CHIEF ASSISTANTS

HARRY A. OBERHELMAN III MARIE COSTA JANE M. SCOTT RAHN GARCIA TAMYRA CODE PAMELA FYFE ELLEN LEWIS KIM BASKETT LEE GULLIVER DANA McRAE

GOVERNMENT TORT CLAIM RECOMMENDED ACTION

Agenda August 11, 1998 ASSISTANTS

To: The Board of Supervisors

Re: Claim of John Kunkle, No. 899-013

Original Document and associated materials are on file at the Clerk to the Board of Supervisors,

In regard to the above-referenced claim, this is to recommend that the Board take the following action:

X 1. Deny the claim of John Kunkle, No. 899-013 and refer to County Counsel.

Deny 2 the application to file a late claim on behalf of and refer to County Counsel.

Grant 3 the application to file a late claim on behalf of and refer to County Counsel.

4. Approve the claim of in the amount of and reject it as to the balance, if any, and refer to County Counsel.

5. Reject the claim of as insufficiently filed and refer to County Counsel.

cc: John Fantham, Director Department of Public Works

RISK MANAGEMENT

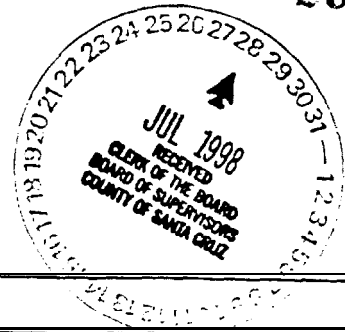
By Janet McKinley

COUNTY COUNSEL

By Ellen Lewis

LTR9.WPT

TO: BOARD OF SUPERVISORS
COUNTY OF SANTA CRUZ
ATTN: Clerk of the Board
Governmental Center
701 Ocean Street, Santa Cruz, CA 95060



1. Claimant's Name: JOHN KUNKLE
Address: 3211 FRIEWAY DRIVE
SCQUEL, CA. 95003
Phone No: (408) 684-1522

P.O. Box to which notices are to be sent: 220 MOOSEHORN DRIVE, APTOS, CA. 95063

2. Occurrence: COUNTY TREE CRASHED THROUGH HOUSE DESTROYING
PERSONAL PROPERTY AND FORCING EVICTION
Date: 2/6/98 Place: 3211 FRIEWAY DRIVE, SCQUEL, CA

Circumstances of occurrence or transaction giving rise to claim: COUNTY TREE -- OVER GROWN
AND IMPROPERLY MAINTAINED -- FELL ONTO HOUSE, ENDANGERING
OCCUPANTS, AND DESTROYING PERSONAL PROPERTY, AS WELL AS FORCED
EVICTION DUE TO UNSAFE HABITATION.

4. General description of indebtedness, obligation, injury, damage or loss incurred so far as is now known:
FIRM MARKET VALUE OF PROPERTY DESTROYED \$17,409⁰⁰, LOST INCOME \$3000
MOVING EXPENSES \$1150⁰⁰, TEMPORARY HOUSING \$400⁰⁰, LINDSEY REIMBURSEMENT
DUE \$3870⁰⁰, ADDITIONAL RENTAL COSTS FOR ONE YEAR AND DEPOSIT \$3060⁰⁰

5. Name(s) of public employee(s) causing injury, damage or loss, if known: COUNTY OF SANTA CRUZ
DEPT. OF PUBLIC WORKS/MAINTENANCE, POLICY MAKERS AND ADMINISTRATORS

6. Amount claimed now \$ 28,889⁰⁰
Estimated amount of future loss, if known (RECKLESS ENDANGERMENT) \$ 7
TOTAL \$ 7

7. Basis for above computations: ACTUAL OR ESTIMATED EXPENSES

8. If the amount claimed is over 510,000, indicate the court of jurisdiction:
_____ Municipal Court ≠ _____ Superior Court

CLAIMANT'S SIGNATURE: [Signature]

Note: Claim must be presented to Clerk, Board of Supervisors, within six (6) months after the act which occasioned the injury.

Americans with Disabilities Act questions or requests for accommodations may be directed to the ADA Coordinator at 454-2962 (TDD 454-2123).